

Knittel, Janette

From: Tasya Gray <ngray@dofnw.com>
Sent: Monday, August 17, 2020 2:20 PM
To: Knittel, Janette
Cc: MacDonald, Jennifer; li.ma@ecy.wa.gov; 'David L. Blount'; 'King, Aaron S CIV USARMY CENWK (USA)'; 'Jeff Davis'; paul.linskey@solvay.com; Tlouvre@dofnw.com; 'Shane Delacruz'
Subject: Former Rhone Poulenc Site Deliverable Request for Modification
Attachments: Variance Request Letter_August 2020.pdf

Hi Janette,

As we discussed last week, we are requesting to modify the routine reporting frequency and move towards less hard copy reporting for the Former Rhone Poulenc site via the letter request attached.

We are happy to provide a hard copy of documents that may be needed but would like to work with you on how to do more electronically.

Thanks,

Tasya

Tasya Gray, LG

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August 17, 2020

Ms. Janette Knittel
EPA Region 10/AWT-150
EPA Project Coordinator
1200 Sixth Avenue, 15-D13
Seattle, WA 98101

Subject: Request for Variance in Reporting Schedule and Submittal Format

Former Rhone-Poulenc Facility
9229 East Marginal Way South
Tukwila, WA 98108

Dalton, Olmsted, & Fuglevand, Inc. (DOF) prepared this request letter on behalf of the Respondents. This letter summarizes requested adjustments to the reporting schedule for progress reporting and deliverable format for documents related to the former Rhone-Poulenc, Inc., facility located on East Marginal Way South in Tukwila, Washington. This document is being transmitted per the requirement in the U.S. Environmental Protection Agency (EPA) Region 10 Administrative Order on Consent No. 1091-11-20-3008(h) (the Order).

Per section 7.8 of the Order, progress reporting on a monthly basis is required. The Order also states that following the first year, an appropriate schedule for submitting progress reports will be agreed upon between EPA and Respondent. The Respondents request to submit progress reports on a quarterly basis with the following schedule:

- First quarter submittal on April 10;
- Second quarter on July 10;
- Third quarter on October 10; and
- Fourth quarter on January 10 of each calendar year.

Progress reports will still otherwise conform to requirements set forth in the Order. The respondents understand quarterly progress reporting may not be sufficient during periods of increased site cleanup activity, e.g. corrective measures implementation, etc., but in relation to current site status, quarterly progress reporting should be sufficient. During periods of increased site activity, the respondents understand that EPA may require more frequent reporting communication, appropriate with the level of activity.

Per section 7.9 of the Order, hard copies of all documents are required to be provided to EPA, Department of Ecology, and FIFER Environmental Associates. The Respondent requests a variance from this requirement by proposing electronic submittals replace the requirement for hard copies to eliminate the use of paper and modernize the submittal requirement set forth in the Order. As part of this request, due to the current coronavirus pandemic, the following documents were not provided as hard copy:

- Monthly Progress Report – April 2020
- Monthly Progress Report – May 2020

- The Second Quarter 2020 Groundwater Monitoring Notification Letter
- Performance Monitoring Report Round 87, March 2020
- The Carbon Dioxide Neutralization Pilot Study Results Report

The Respondents request this change in submittal requirement apply to the above listed documents as well as documents going forward.

Per section 11.2 of the Order, the Respondent shall notify USEPA and Ecology, in writing, at least ten (10) days before engaging in any field activities, such as well drilling, installation of equipment, or sampling. All written notices shall be sent by fax, express service or certified mail receipt requested per section 14.1 of the Order. The Respondent requests a variance from this requirement by proposing electronic submittals replace the requirement for written notices to eliminate the use of paper and modernize the submittal requirement set forth in the Order.

On behalf of the Respondents, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designated to evaluate the information submitted. I certify that the information contained in or accompanying this letter, Request for Variance of Reporting Schedule and Submittal Format, is true, accurate, and complete. As to those portions of the letter for which I cannot personally verify accuracy, I certify under penalty of law that this report and all attachments were prepared in accordance with procedures designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who may manage the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

By: Natasya AD Gray
Natasya Gray, Project Coordinator

Date: August 17, 2020

cc: Jennifer MacDonald, EPA
Li Ma, Ecology
Aaron King, USACE
David Blount, LLB
Jeff Davis, Container Properties
Paul Linskey, Rhodia